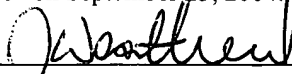




CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to "Commissioner for Patents, Mail Stop Missing Parts P.O. Box 1450, Alexandria, VA 22313-1450" on September 23, 2004.


Joseph Weathered

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Peter J. WILK, Timothy J. NOHARA & Peter T. WEBER
SERIAL NO. : 10/663,084
FILED : 09/16/2003
TITLE : Ultrasonic Medical Device and Associated Method

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P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

S. I. R.:

In response to the Notice to File Missing Parts of Nonprovisional Application form mailed September 16, 2004, applicants state that Robert C. STIRBL is NOT an inventor in either the above-identified divisional application, or its parent application, serial number 09/514,928. Applicants enclose herewith copies of the Divisional Application transmittal sheet and the Application Data Sheet filed with the above-entitled Divisional Application, to confirm that Robert C. STIRBL is not an inventor in this application.

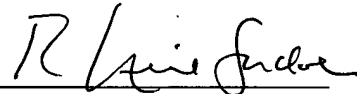
It appears the above-identified application was submitted with copies of Declaration forms not from parent application 09/514,928 but from unrelated application No. 10/514,168. This error arose from clerical confusion. Applicants enclose the correct Declaration and Power of Attorney forms from the parent application No. 09/514,928, which have been executed by Peter J. WILK, Timothy J. NOHARA and Peter T. WEBER, the rightful inventors for this divisional application.

It appears that the application documents are complete and that the application is ready for examination.

Please credit any overpayment or charge any additional fees due in connection with this communication to Deposit Account No. 04-0838. A copy of this Submission is enclosed herewith for deposit account charging purposes.

Respectfully submitted,

COLEMAN SUDOL SAPONE, P.C.

By: 

R. Neil Sudol
Reg. No. 31,669

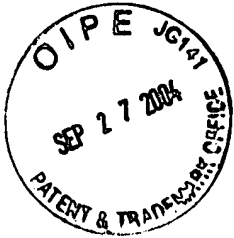
Dated: September 23, 2004

714 Colorado Avenue
Bridgeport, CT 06605-1601
(203) 366-3560

EXPRESS MAIL No.: EV 332301570 US

Deposited: September 16, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service Express Mail under 37 CFR § 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Curtis L. Schrandt

Docket No.: W07-511

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

RE: DIVISIONAL APPLICATION (NONPROVISIONAL)

SIR:

This is a request for filing a ☐ Continuation ☒ Divisional application under 37 C.F.R. § 1.53(b) and § 1.78(a) of a pending prior application of:

Applicant(s) : WILK et al.
Application No. : 09/514,928
Application Filed : February 28, 2000
For : ULTRASONIC MEDICAL DEVICE AND ASSOCIATED METHOD

1. ☒ Enclosed is a true copy of the prior application as originally filed.

I hereby verify that the attached papers are a true copy of complete prior Application Serial No. 09/514,928, originally filed on February 28, 2000, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2. ☐ Enclosed is a request for extension of time under 37 C.F.R. § 1.136(a).
3. ☒ Cancel in this application original claims 13-21, 31-36 and 39-45 of the prior application before calculating the filing fee.
4. ☒ Small entity status applies in this application.

5. The filing fee is calculated below:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

For	No. Filed	Minus	No. Extra	Rate	Calculation
Basic Fee				\$750.00	\$750.00
Total Claims	23	20	3	\$18.00	\$54.00
Indep. Claims	3	3	0	\$84.00	-
Mult. Dep. Claims				\$280.00	-
Total of Above					\$804.00
Small Entity Total					\$402.00

6. ☐ Please charge my Deposit Account No. 04-0838 in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
7. ☒ A check in the amount of **\$402.00** to cover the filing fee is enclosed.
8. ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication, or credit any overpayment to Deposit Account No. 04-0838. A duplicate copy of this sheet is enclosed.
- ☐ Any additional filing fees required under 37 C.F.R. § 1.16
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17
9. ☐ Amend the specification by inserting the following:
10. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11. ☐ Substitute drawings are enclosed.
12. ☒ The prior application is assigned to WILK ULTRASOUND OF CANADA, INC.
13. ☒ The Declaration and Power of Attorney in the prior application:
- a. ☐ appears in the original papers of the prior application, and a copy is enclosed.
- b. ☒ does not appear in the original papers of the prior application, but copies are enclosed herewith.

c. ☒ Address all future communications to:

R. Neil Sudol, Esq.
Coleman Sudol Sapone, P.C.
714 Colorado Avenue
Bridgeport, CT 06605-1601
203-366-3560

14. ☐ A preliminary amendment is enclosed.

15. ☒ For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied herewith, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

16. ☒ Information Disclosure Statement with Form PTO-1449 citation sheet.

17. ☒ Return Receipt Postcard (MPEP 503), specifically itemized.

Respectfully submitted,

Coleman Sudol Sapone, P.C.

Dated: September 16, 2003

By: 

R. Neil Sudol
Reg. No. 31,669
Attorney of Record

714 Colorado Avenue
Bridgeport, CT 06605-1601
203-366-3560

Enclosures: Check for \$402.00 for filing fee
Duplicate of this sheet
Original application as filed
Copy of Declaration and Power of Attorney
Information Disclosure Statement
Form PTO-1449 citation sheet

EPU



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/663,084	09/16/2003	Peter J. Wilk	W07-511

CONFIRMATION NO. 1679

FORMALITIES LETTER



OC000000013821775

Date Mailed: 09/16/2004

R. Neil Sudol
 714 Colorado Avenue
 Bridgeport, CT 06605-1601



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Robert C. Stirbl

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

T. TU

Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY